



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

50505

FISH & RICHARDSON P.C.
P.O. Box 1022
Minneapolis, MN 55440-1022

MAY 10 2005

In re Application of:
CONANT *et al.*
Serial No.: 09/584,835
Filed: May 31, 2000
Attorney Docket No.: 9840-055-999

DECISION ON PETITION
TO WITHDRAW HOLDING
OF ABANDONMENT

This is a decision on the petition filed on February 07, 2005, under 37 C.F.R. § 1.181, to withdraw the holding of abandonment of the above-identified application. No fee is required.

The petition is **GRANTED**.

The application was held abandoned for failure to timely pay the issue fee in response to the Notice of Allowance and Issue Fee Due (Notice) mailed on August 11, 2004. A Notice of Abandonment was mailed on January 03, 2005.

Petitioner asserts that the Notice mailed on August 11, 2004, was not received. To support this assertion, petitioner provided a statement attesting that a search of the file jacket and docket records showed that the Notice was not received. A copy of the file docket where the Notices would have been entered was also included.

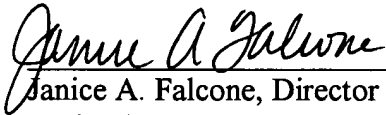
A review of the written record for the above-identified application shows that a request to change the correspondence address to Customer Number 26181 filed August 09, 2004, was not processed in the application file prior to the mailing of the Notice. As a result, the Notice mailed on August 11, 2004, was sent to the incorrect address. Accordingly, it cannot be presumed that the Notice reached practitioner at the correspondence address of record. Therefore, the application was not abandoned in fact.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for re-mailing the Notice of Allowability and a Notice of Allowance and Issue Fee Due. The shortened statutory periods for response set therein will be reset to run from the date the Notices are re-

mailed. Extensions of time for these periods are not available. See 37 C.F.R. § 1.136(c), effective November 07, 2000.

Inquiries regarding this decision should be directed to Clayton E. LaBalle, Special Program Examiner, at (571) 272-1594.



Janice A. Falcone, Director
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components